

REMARKS

Claims 1-2, 4-22, and 24-42 are pending in the present application. By this reply, new claims 40-42 have been added. Claims 1, 18, 21 and 35 are independent claims.

35 U.S.C. § 103 Rejection

Claims 1, 2, 4, 8-22, 24-25, and 30-39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Leiman et al. (U.S Patent No. 6,469,796) in view of Murphy et al. (U.S Patent No. 6,076,100) and further in view of DeHority (U.S Patent No. 5,129,639). This rejection, in so far as it pertains to the presently pending claims, is respectfully traversed.

Regarding independent claim 1, the Examiner correctly acknowledges that “Leiman et al. and Murphy et al. do not explicit[ly] teach wherein a processing device not suitable for the job is selectable to become said selection”, see paragraph 6 of the Office Action dated September 7, 2005. To overcome this deficiency, the Examiner further relies on DeHority and alleges that DeHority teaches this missing feature. Applicants respectfully disagree.

DeHority is directed to a system which compares the print job requirements to the printer capability and determines the best match therebetween. More specifically, DeHority teaches a system that adapts the job settings to the capabilities of a chosen printer if a mismatch exists. For instance, as shown in steps 44, 48, 52, 56, and 60 in Fig. 2A, DeHority’s system corrects or changes the originally defined job settings to correspond to the current capabilities of a printer if a mismatch exists. This is a clear disadvantage as in many applications since these job requirements or settings are archived to enable a repeated printing of the job with its original settings. This is recognized in Applicants’ disclosed background art on page 1, line 15-17, for example: “the programmed job ticket can be stored by the user in a memory so that the job ticket can be used at a later stage and more than once”.

Applicants embodied invention effectively overcomes this disadvantage of DeHority’s system by accepting a mismatch between job settings and printer capabilities, and reporting this

mismatch so that the user can choose, for example, to execute the defined job while ignoring the mismatch, or solve the source of the mismatch (e.g., add more staples or paper), or cancel the job permanently. In other words, in Applicants' embodied invention, the originally defined job (or job settings) is not changed to match the capabilities of the printer, which is done in DeHority. Independent claim 1 clarifies and emphasizes this feature that the job settings are not adapted/changed, by reciting, e.g., "wherein a processing device not suitable for the job is selectable to become said selection". Thus according to the invention, the printer still not suitable for the job accepts this mismatch, and as described, e.g., at page 8, lines 28-29 of the present application, the operator "will then still be able to select this printing device, quite willingly accepting the fact that his print job will not be stapled". This feature of allowing the non-suitable processing device to be selectable so that it can become the selected processing device to perform the defined job is advantageous, because it gives the user to make an informed judgment on how his defined job should be processed even when a job environment may not be most suitable for the defined job. As a result, the archived job setting can be preserved for efficiency future reprinting as needed.

Therefore, even if the references are combinable, assuming *arguendo*, the combination of references would still fail to teach or suggest at least the above-noted feature recited in independent claim 1. Similar features for other independent claims 18, 21, and 35 are presented in new dependent claims 40-42.

In the alternative, each of independent claims 1, 18, 21, and 35 recites the feature of indicating the reason why the processing device is not suitable for performing the job. The Examiner maintains this feature is taught by Leiman et al. and cites column 8, lines 12-13 of Leiman et al. to support his position (see paragraph 16 of the last Office Action). However, as repeatedly argued in the previous replies, this assertion by the Examiner is incorrect and Leiman et al. does not teach this feature. What Leiman et al. actually teaches is a device that indicates via the GUI "that the print job cannot be printed on the selected printer by not allowing the print option to be selected or by not allowing the print job to be dropped onto the printer icon" (Leiman et al., column 8, lines 15-18). That is, in Leiman et al., the actual reason for the non-

suitability of the device for the print job is not at all indicated via the GUI. Instead, when the non-suitability for the particular job is detected, the print option for the print job is merely disabled, i.e., by not allowing the print option to be selected or by not allowing the print job to be dropped onto the printer icon. This means that the operator cannot see the actual reason for the non-suitability of the print job and that the operator cannot make a well-informed decision whether the reason for non-suitability is pertinent for the print job.

Therefore, even if the references are combinable, assuming *arguendo*, the combination of references still fails to teach or suggest at least the above-noted feature recited in each of independent claims 1, 18, 21, and 35.

Accordingly, independent claims 1, 18, 21, and 35 and their dependent claims (due to their dependency) are patentable over the applied references, and the rejection should be withdrawn.

Claims 5-7 and 26-29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Leiman et al. in view of DeHority and Murphy et al. as applied to claim 1 above and further in view of Applicants' disclosed background art. This rejection is respectfully traversed.

As discussed above, the combination of Leiman et al., Murphy et al., and DeHority does not teach or suggest the invention as recited in independent claims 1 and 21 from which claims 5-7 and 26-29 depend. Furthermore, Applicants' disclosed background art does not overcome this deficiency since Applicants' invention is invented to overcome the limitations of Applicants' background art and the Examiner merely relies on Applicants' disclosed background art to teach a part of a job being a setting of a job.

Therefore, even if the references are combinable, assuming *arguendo*, the combination of reference would still fail to teach or suggest the invention as recited in independent claims 1 and 21 and their dependent claims due to their dependency. Accordingly, the rejection is improper and must be withdrawn.

Conclusion

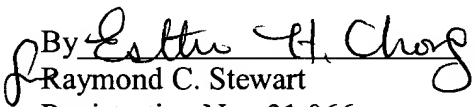
For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters, which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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